

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 HOUSE BILL 3661

By: Sterling

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5  
6 AS INTRODUCED

7 An Act relating to motor vehicles; amending 47 O.S.  
8 2021, Section 11-1116, which relates to self-  
9 propelled or motor-driven and operated vehicles;  
10 updating statutory reference; deleting divided  
11 highway crossing prohibition for all-terrain  
12 vehicles; and providing an effective date.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 47 O.S. 2021, Section 11-1116, is  
15 amended to read as follows:

16 Section 11-1116. A. The self-propelled or motor-driven and  
17 operated vehicles described in this section shall be prohibited from  
18 operating or shall be limited in operation on the streets and  
19 highways of this state.

20 B. Self-propelled or motor-driven cycles, known and commonly  
21 referred to as "minibikes" and other similar trade names, shall be  
22 prohibited from operating on the streets and highways of this state,  
23 except:

24 1. When used in a parade; or

1           2. When registered, as required by subsection E of Section 1151  
2 of this title, and operated in this state by food vendor services  
3 upon streets having a speed limit of thirty (30) miles per hour or  
4 less.

5           All minibikes offered for sale in this state shall bear the  
6 following notice to the customer: "This machine is not manufactured  
7 or sold for operation on the public streets or highways. Since it  
8 is not provided with equipment required by law for street or highway  
9 use, all persons are cautioned that any operation of this vehicle  
10 upon a public street or highway will be in violation of the motor  
11 vehicle laws of this state and will subject the violator to arrest."

12           C. Golf carts and utility vehicles, as defined by Section 1102  
13 of this title, shall not be operated on the streets and highways of  
14 this state except:

15           1. Golf carts or utility vehicles owned by the Oklahoma Tourism  
16 and Recreation Department, and operated by employees or agents of  
17 the Department or employees of independent management companies  
18 working on behalf of the Department, may be operated on the streets  
19 and highways of this state during daylight hours or under rules  
20 developed by the Oklahoma Tourism and Recreation Commission, when  
21 the streets and highways are located within the boundaries of a  
22 state park. The Department shall have warning signs placed at the  
23 entrance and other locations at those state parks allowing golf  
24 carts or utility vehicles to be operated on the streets and highways

1 of this state located within the boundaries of those state parks.  
2 The warning signs shall state that golf carts and utility vehicles  
3 may be operating on streets and highways and that motor vehicle  
4 operators shall take special precautions to be alert for the  
5 presence of golf carts or utility vehicles on the streets and  
6 highways;

7 2. The municipal governing body has adopted an ordinance  
8 governing the operation of golf carts and/or utility vehicles on  
9 city streets; provided, such ordinances shall include necessary  
10 vehicle lighting and safety requirements;

11 3. Golf carts or utility vehicles may operate on state highways  
12 only if making a perpendicular crossing of a state highway located  
13 within the boundaries of a municipality which has adopted an  
14 ordinance governing the operation of golf carts and/or utility  
15 vehicles;

16 4. The board of county commissioners of a county has approved  
17 the operation of golf cart and/or utility vehicle traffic on  
18 roadways within the county, and:

- 19 a. the roadway has a posted speed limit of twenty-five  
20 (25) miles per hour or less,  
21 b. the roadway is located in an unincorporated area, and  
22 c. appropriate signage, cautioning motorists of the  
23 possibility of golf cart or utility vehicle traffic,  
24 is erected by the board of county commissioners; or

1           5. Street-legal utility vehicles that are registered as a motor  
2 vehicle pursuant to subsection B of Section ~~±~~ 1-171.1 of this ~~act~~  
3 title may be operated on the streets and highways of this state.  
4 Provided, however, street-legal utility vehicles shall not be  
5 operated on the National System of Interstate and Defense Highways  
6 or U.S. highways.

7           D. All-terrain vehicles shall not be operated on the streets  
8 and highways of this state, except:

9           1. On unpaved roads which are located within the boundaries of  
10 any property of the Forest Service of the United States Department  
11 of Agriculture;

12           2. On highways if:

13           a. the vehicle needs to make a direct crossing of the  
14 highway while the vehicle is traveling upon a  
15 regularly traveled trail and needs to continue travel  
16 from one area of the trail to another and, if the  
17 vehicle comes to a complete stop, yields the right-of-  
18 way to all oncoming traffic that constitutes an  
19 immediate hazard, and crosses the highway at an angle  
20 of approximately ninety (90) degrees to the direction  
21 of the street or highway. This exception shall not  
22 apply to ~~divided highways or~~ highways with a posted  
23 speed limit of more than thirty-five (35) miles per  
24 hour in the area of the crossing,

1           b.    the vehicle needs to travel on a highway in order to  
2                    cross a railroad track.  In that event, the all-  
3                    terrain vehicle may travel for not more than three  
4                    hundred (300) feet on a highway to cross a railroad  
5                    track,

6           c.    the operator of the all-terrain vehicle making the  
7                    crossing at a highway has a valid driver license, and

8           d.    the operator of the vehicle makes a crossing on a  
9                    highway during daylight hours only;

10          3.    On streets and highways within a municipality if the  
11                municipal governing body has adopted an ordinance governing the  
12                operation of golf carts, utility vehicles or all-terrain vehicles on  
13                streets and highways within the municipality; or

14          4.    On roadways within unincorporated areas of a county if those  
15                roadways are not part of the state highway system or the National  
16                System of Interstate and Defense Highways; provided, however, that  
17                the driver is a licensed driver.

18          E.    Mopeds, as defined by Section 1-133.2 of this title, may be  
19                operated on the streets and highways of this state if:

20                1.    The municipal governing body has adopted an ordinance  
21                        governing the operation of mopeds on city streets; provided, such  
22                        ordinances shall include necessary vehicle lighting and safety  
23                        requirements; or

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2. The board of county commissioners of a county has approved the operation of mopeds on roadways within the county, not including roadways within a municipality.

SECTION 2. This act shall become effective November 1, 2022.

58-2-9321 JBH 12/15/21